

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>REGINALD PURNELL,</b>	:	
	:	
<b>Petitioner,</b>	:	
	:	<b>Civil No. 2:07-CV-1050</b>
<b>v.</b>	:	<b>Criminal No. 2:05-CR-192</b>
	:	<b>JUDGE ALGENON L. MARBLEY</b>
<b>UNITED STATES OF AMERICA,</b>	:	<b>Magistrate Judge King</b>
	:	
<b>Respondent.</b>	:	

**ORDER**

This matter is before the Court on Reginald Purnell’s Motion to Dismiss for Lack of Criminal Jurisdiction (Dkt. 105). Mr. Purnell alleges that the United States District Court for the Southern District of Ohio does not have jurisdiction over his case because the crime to which he pleaded guilty did not take place in a geographic location where the United States has exclusive jurisdiction, and did not take place in “any fort, magazine, arsenal, dockyard, ‘needful building,’ or other federal enclave within the Ohio Republic.” Pet. Mot. Dismiss at 2 (Dkt. 105). This argument ignores 18 U.S.C. §3231, which gives federal courts jurisdiction over “all offenses against the laws of the United States.” Furthermore, Article I, Section 8 of the United States Constitution “empowers Congress to create, define, and punish crimes, irrespective of where they are committed.” *United States v. Collins*, 920 F.2d 619, 629 (10th Cir. 1990) (citing to *United States v. Worrall*, 2 U.S. (2 Dall.) 384, 393 (1798)). Mr. Purnell pleaded guilty to violating three federal statutes, 18 U.S.C. § 1951, 18 U.S.C. § 924(c)(1)(A)(ii), and 18 U.S.C. § 2. As a result, the United States District Court for the Southern District of Ohio has jurisdiction over Mr.

Purnell's case. Moreover, the appropriate avenue for Mr. Purnell to raise this objection is through a motion for collateral relief under 28 U.S.C. § 2255. Mr. Purnell has already filed his first motion for collateral relief, and therefore a successive petition would first need to be considered by the Sixth Circuit Court of Appeals. 28 U.S.C. § 2244(b)(3); *In Re Sims*, 111 F.3d 45, 46 (6th Cir. 1997). Accordingly, Mr. Purnell's Motion to Dismiss for Lack of Criminal Jurisdiction is hereby **DENIED**.

**IT IS SO ORDERED.**

s/Algenon L. Marbley  
**JUDGE ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT COURT**

**DATED: November 17, 2009**